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Kyuhei Kitao

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2292 7590 12/24/2009  
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EXAMINER

MCCULLEY, MEGAN CASSANDRA

ART UNIT

PAPER NUMBER

1796

NOTIFICATION DATE

DELIVERY MODE

12/24/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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***Response to Arguments***

The amendments to the claims are entered since they do not change the scope of the claims. The rejection in the final Office action applies.

However, the rejection under 112, 1<sup>st</sup> paragraph is not overcome by this amendment. There is no support for a single pass of distillation. The examples do not teach the distillation occurs in a single pass. In fact, the words "single pass" are not found in the specification.

Applicant's arguments filed November 30, 2009 have been fully considered but they are not persuasive.

Applicant argues that the teaching of Ryan et al. regarding motivation for using wiped film evaporators only applies to the glycidyl esters, which the reference uses, and not the alicyclic epoxy compounds, which Takai teaches. This argument is not persuasive. Ryan et al. is concerned with products having reduced color (col. 1 lines 10-15) and lower by-products caused by side reactions in the glycidyl esters (col. 2 lines 54-65). Takai teaches the need for an isolated/pure product (para. 58) and transparency (abstract). While the compounds are different, both references are concerned with the same properties in the final product. Wiped film distillation is a commonly used technique in the art on many different compounds and is not solely used for glycidyl esters (see Kumabe et al. U.S. Pat. 6,201,070 for instance). Therefore, a person having ordinary skill in the art, wanting the same final properties as Takai using the compound of Takai would be motivated to use the distillation system of Ryan et al. since Ryan et al. teaches those properties are achieved.

***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Megan McCulley whose telephone number is (571)270-3292. The examiner can normally be reached on Monday - Thursday 7:30-6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Eashoo can be reached on (571) 272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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